

## **Indonesia: President Joko Widodo Pardons Merri Utami**

15 April 2023, Kuala Lumpur, Malaysia.

The Anti-Death Penalty Asia Network (ADPAN) congratulates Merri Utami, her family, and their dedicated lawyers from Lembaga Bantuan Hukum Masyarakat Legal Aid Institute (LBHM) for their tenacious fight to release Merri Utami from her death sentence. On 27 February 2023, President Joko Widodo granted Merri Utami's clemency application, commuting her sentence from death to life imprisonment. This is the first grant of clemency President Joko Widodo gave to drugs offences since he became President of Indonesia in 2014.

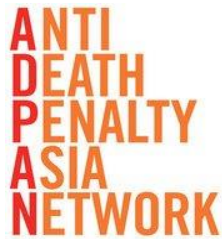
Merri Utami was sentenced to death by Tangerang District Court in November 2001 for drug offences. It is clear she was a victim of a syndicate of illicit drugs trafficking whose role and weight of the sentence was unfairly equated with the ring leaders. In July 2016, Merri Utami was taken from the Tangerang Women's Prison to an isolation cell in Nusakambangan prison for an execution. While placed in a solitary confinement, the Supreme Court rejected her Judicial Review (PK) application. LBHM then applied for clemency on 26 July 2016 to President Joko Widodo while Merri Utami was being prepared for an execution. A few days later, the Prosecutor's Office declared that Merri Utami's execution was postponed.

Since this postponement, Merri Utami had been waiting for a response from the President for over 5 years, and she has been in prison for almost 22 years. For Merri Utami, the death sentence has impacted her psychologically due to the prolonged and uncertain period while awaiting an imminent execution under harsh conditions of confinement.

ADPAN welcomes the grant of clemency by President Widodo to Merri Utami and encourages the government to consider other petitions before it. As a victim of trafficking in persons, Merri Utami should have been protected, not sentenced to death. Unfortunately, Merri Utami is just one of many persons on death rows globally because they were trafficked and forced into criminal activity. We urge other governments to follow the lead of President Widodo and grant clemency to those who similarly deserve protection, rather than the most extreme and permanent punishment.

While we welcome this presidential pardon, we also urge President Widodo and the Indonesian Minister of Law to thoroughly reconsider Merri Utami's life sentence to be commuted to lesser sentence. If undertaken, the commutation will eventually lead to her release consistent with the criminal law, since she has exceeded more than the maximum imprisonment of 20 years.

Ultimately, ADPAN maintains that the death penalty is cruel and inhumane practice that has no place in any criminal justice system. We call on the Government of Indonesia to consider taking meaningful steps towards abolition of the death penalty, in line with the clear global trend.



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ADPAN is the peak regional body for organisations committed to the abolition of the death penalty across Asia-Pacific, with members from 20 countries within the region. As such, ADPAN maintains that the death penalty violates the right to life, that it is the ultimate form of cruel, inhuman and degrading punishment and that the death penalty should be entirely abolished internationally.